

REMARKS

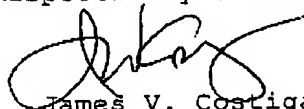
In response to the requirement that a species be elected, the applicant elects species 1, namely, oil phase comprising vegetable oils, mineral oils, aliphatic esters, aliphatic ethers, aliphatic alcohols, triglycerides and aliphatic hydrocarbons, with traverse and lists claims 1 and 6-10 as reading on the elected species.

Under the ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT, page AI-59, Section (f)(1)(B)(1), which is available as Annex B to APPENDIX T of the MPEP, when a Markush grouping is present and there is a common property or activity, division should not be required. The common property is the use as a mouthwash. In addition, the PCT regulations do not provide for the imposition of a requirement for the election of species which is unique to U.S. practice.

For these reasons, it is requested that the species election requirement be withdrawn and an action be given on all claims.

An early and favorable action is earnestly solicited.

Respectfully submitted,



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